

Docket
Number

PH 7167 DIV1

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**PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN THE APPLICATION OF:**CASE NO.: PH 7167 DIV1**

Duncia et al.

SERIAL NO.:10/635,946**GROUP ART UNIT: 1625****FILED: AUGUST 7, 2003****EXAMINER: CHANG, CELIA, C.****FOR: PIPERIDINE AMIDES AS MODULATORS OF CHEMOKINE
RECEPTOR ACTIVITY**

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P.O. Box 1450
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER

Sir:

Bristol-Myers Squibb Pharma Company, a Delaware corporation, having a place of business at Lawrenceville-Princeton Road, Princeton, NJ 08543-4000, represents that it is the assignee and owner of the entire interest in the above-identified application by virtue of two assignments which were recorded in the United States Patent and Trademark Office on February 11, 2002 at Reel/Frame 012607/0038 and on January 15, 2002 at Reel/Frame 012479/0627.

Bristol-Myers Squibb Pharma Company hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified application which would extend beyond the expiration date of the full statutory term defined in 35 USC §154 and §173, as presently shortened by any terminal disclaimer, of prior **Patent No. 6,492,400** issued December 10, 2002. Said Patent No. 6,492,400 is also assigned to Bristol-

Myers Squibb Pharma Company by virtue of two assignments which were
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REMARKS SECTION

recorded in the United States Patent and Trademark Office on April 5, 2000 at Reel/Frame 010730/0074 and on February 11, 2002 at Reel/Frame 012607/0038.

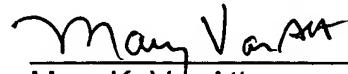
Bristol-Myers Squibb Pharma Company hereby agrees that any patent granted on the above-identified application shall be enforceable only for and during such period that it and prior Patent No. 6,492,400 are commonly owned. This agreement runs with any patent granted on the above-identified application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, Bristol-Myers Squibb Pharma Company does not disclaim the terminal part of any patent granted on the above-identified application that would extend to the expiration date of the full statutory term as defined in 35 USC §154 and §173 of prior Patent No. 6,492,400, as presently shortened by any terminal disclaimer, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR §1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

A terminal disclaimer fee under 37 CFR §1.20(d) is included.

Signed this 28th day of October, 2004 by the undersigned attorney of record.

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